

1 **R277. Education, Administration.**

2 **R277-523. Teacher Salary Supplement Program.**

3 **R277-523-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and
6 supervision over public education in the Board;

7 (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute
8 the Board's duties and responsibilities under the Utah Constitution and state law;
9 and

10 (c) Section 53F-2-504, which directs the Board to make rules regarding the
11 administration of the Teacher Salary Supplement Program.

12 (2) The purpose of this rule is to establish application and appeal procedures
13 for administration of the Teacher Salary Supplement Program.

14 **R277-523-2. Definitions.**

15 (1) "Certificate teacher" means the same as that term is defined in Subsection
16 53F-2-504(1)(b).

17 (2) "Eligible teacher" means the same as that term is defined in Subsection
18 53F-2-504(1)(c).

19 (3) "Substantially equivalent" means commonly recognized by a Utah university
20 for a degree in a specific subject.

21 (4) "Teacher Salary Supplement Program" or "TSSP" means the salary
22 supplement program authorized by the Legislature in Section 53F-2-504.

23 **R277-523-3. Program Administration.**

24 (1) The Superintendent shall allocate funds for salary supplements to eligible
25 teachers and certificate teachers in accordance with Subsection 53F-2-504(3).

26 (2) The Superintendent shall maintain an online application system for the TSSP
27 and make it available to educators no later than October 1 each school year.

28 (3) An applicant for the TSSP shall apply to the Superintendent by the following

deadlines:

(a) Trimester payments, prior to November 15;

(b) Semester payments, prior to January 31; and

(c) Annual payments, prior to April 30.

(4) A Title I certificate teacher shall receive a partial award if the certificate teacher has a partial assignment in a Title I school or works less than the full school year, which shall be proportional to the teacher's assignment, the portion of the assignment worked in a Title I school, and the overall portion of the school year worked.

(5)(a) If an applicant is denied funds under this Section R277-523-3, the applicant may submit a written appeal to the Superintendent prior to June 1.

(b) An appeal under Subsection (5)(a) is limited to the following issues:

(i) whether the applicant has a degree or degree major with course requirements that are substantially equivalent to the course requirements for a degree listed in Section 53F-2-504;

(ii) whether the applicant holds a current National Board Certification;

(iii) whether the applicant was assigned to teach at a Title I school during the period covered by the TSSP award;

(iv) whether the Superintendent's initial denial ~~violated~~ was inconsistent with Section 53F-2-504 or this Rule R277-523; or

(v) whether the Superintendent's initial denial was based on inaccurate or missing information.

(c) The Superintendent ~~shall~~ may designate a panel of at least two Board staff members to review an appeal made under Subsection (5)(a) and make a recommendation to the Superintendent.

(i) A panel designated in accordance with Subsection (5)(c) ~~may not grant an appeal~~ shall make a recommendation ~~contrary to~~ in accordance with the provisions of Section 53F-2-504 or this Rule R277-523.

(ii) The panel shall ~~issue a ruling~~ make a recommendation on an appeal within 30 days of receipt of the written appeal.

~~[(6)(a) If a panel designated in accordance with Subsection (5)(c) decides against~~

59 ~~an applicant, the applicant may appeal the decision to the Superintendent by filing a~~
60 ~~written appeal within 15 days of the date of the panel's ruling.~~

61 ~~—— (b) If an applicant files an appeal in accordance with Subsection (6)(a), the~~
62 ~~appeal is limited to correction of a material and manifest error by the panel.]~~

63 (c)6 The Superintendent shall issue a ruling on an appeal within 15 days of
64 receipt of the ~~written appeal~~ panel's recommendation.

65 (d) The decision of the Superintendent on an appeal ~~under Subsection (6)(a)~~
66 is the final Board administrative action.

67 (7) If the appropriation for TSSP is insufficient to cover all eligible teachers and
68 certificate teachers entitled to awards, the Superintendent shall reduce all awards by the
69 same ratio and proportion.

70 **KEY:**

71 **Date of Enactment of Last Substantive Amendment: 2018**

72 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401; 53F-2-**
73 **504**